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ABUSE OF AND ILLICIT TRAFFICKING IN STIMULANTS

Report of the Expert Meeting on Amphetamine-type Stimulants held at Shanghai, China, from 25 to 29 November 1996

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INTRODUCTION

1. At its thirty-ninth session, the Commission on Narcotics Drugs had before it a report (E/CN.7/1996/12) submitted pursuant to Economic and Social Council resolution 1995/20, in which the Secretary-General was requested, with the assistance of the Executive Director of the United Nations International Drug Control Programme (UNDCP) and in consultation with the International Narcotics Control Board, to convene expert meetings in 1995 and 1996 in order to discuss countermeasures against the illicit manufacture of and trafficking in psychotropic substances, particularly stimulants, and the illicit use of their precursors. The Secretary-General was also requested to undertake a thorough study on stimulants and the use of their precursors in the illicit manufacture of and trafficking in drugs.

2. The study prepared in response to that request, entitled "Amphetamine-type stimulants: a global review" was presented to the first Expert Meeting on Amphetamine-type Stimulants, held at Vienna from 12 to 16 February 1996. A revised version of the study,[1] reflecting comments made at the thirty-ninth session of the Commission, was subsequently published and used as the main background document for the second Expert Meeting on Amphetamine-type Stimulants. The first Expert Meeting confirmed the principal findings of the global review, which were complemented by additional information supplied by experts, particularly in technical areas and relating to national and regional experiences.

3. The Council, in its resolution 1996/29, reiterated its request to the Secretary-General to convene, in accordance with the mandate established by its resolution 1995/20, a second expert meeting of drug-control authorities and policy-making representatives in order to propose comprehensive countermeasures against illicit manufacturing, trafficking and use of amphetamine-type stimulants (ATS) and their precursors. The Secretary-General was also requested to seek the views of interested Governments on the nature and content of those countermeasures prior to the second Expert Meeting.

4. By two notes verbales, the Secretary-General informed Governments of the request by the Council for the convening of the second Expert Meeting, held at Shanghai, China, from 25 to 29 November 1996, and invited them to provide their views on possible countermeasures against illicit manufacturing, trafficking and use of ATS and their precursors. On the basis of the replies received from 22 Governments and one intergovernmental organization, UNDCP prepared and submitted to the second Expert Meeting a summary of government views on countermeasures and a paper presenting policy options for countermeasures.

I. CONCLUSIONS AND RECOMMENDATIONS

5. The Expert Meeting recognized and drew attention to the grave threat posed by the abuse of ATS, which had increased significantly over the past 10 years. What began as a localized phenomenon had now spread to all regions of the world. Recent trends and studies on the characteristics of ATS showed that they had the potential to become a major drug problem of the twenty-first century.

6. Several factors contributed to the surge in ATS abuse. On the supply side, economic incentives were powerful. In some countries, clandestine manufacture of methamphetamine could lead to profits of nearly 3,000 per cent of the cost of raw materials. Such profitability derived from the following: the accessibility and abundance of precursors, which suggested that clandestine manufacture could be carried out by non-specialists and close to the points of final consumption; fewer stages in the chain of distribution with the involvement of fewer individuals; and shorter distances, reducing the scope for effective interdiction. In addition, detailed information on the manufacture of ATS were widely available to the public at large through the Internet and other such networks. In nearly every region of the world, demand was strongly driven by social, cultural and economic forces that had come together during the past few decades. Compared with cocaine, ATS were less expensive, had a longer effect and carried a relatively benign image. That image was not only common among the general public, but also in institutions handling substance-abuse problems. The drug control focus at both the national and international levels was still overwhelmingly on the plant-based narcotic drugs, and the threat of ATS was often underestimated.

7. While conscious of the current and potential dangers of ATS, the Expert Meeting believed that through concerted efforts, the international community could curb the further spread of abuse and reduce its existing levels. To achieve that goal, it was necessary to redouble efforts to monitor and study ATS in order to secure a better factual knowledge on which to base decision-making. A responsible political leadership must ensure a long-term and unwavering commitment to the fight against ATS. That commitment should be present at the national as well as the regional and international levels. In fact, the global scope of the problem required ongoing intergovernmental consultations and cooperation and a close involvement of the international and regional organizations concerned.

8. In light of the foregoing, the Expert Meeting drew up the conclusions and recommendations presented below, including those arising from the deliberations of its working groups, for consideration and action by the Commission at its fortieth session.

A. General themes

9. The Expert Meeting acknowledged the excellent work done by UNDCP in preparation for the Expert Meeting, including the study *Amphetamine-type Stimulants: a Global Review* and the discussion paper "Policy options for countermeasures". It was emphasized that the work on ATS should not end with the Meeting at Shanghai, but should be systematically continued by UNDCP. The subject of ATS should be given higher priority and become a regular item on the agenda of national and international drug control bodies.

10. The Expert Meeting recognized the existence of an extensive framework of international treaties, mandates, recommendations and resolutions adopted by the Council, the Commission and the Board, as well as national legislation, addressing various aspects of the ATS problem, including regulatory aspects, that were relevant to the Convention on Psychotropic Substances of 1971[2] and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988.[3] The Expert Meeting reiterated the significance of global implementation of all relevant parts of the framework.

11. The Expert Meeting was also aware of the budgetary implications that might arise from its recommendations. By weighing the urgency of the matter and the budgetary implications, the Expert Meeting

had carefully selected and prioritized its recommendations so as to cover each area of intervention - demand, information, precursors and control aspects, including regional cooperation - and to deal as specifically as possible with the ATS problem. In view of the strategic importance of some of the activities undertaken, the Expert Meeting recommended that States Members of the United Nations should place high priority on allocating appropriate resources to UNDCP and the Board for those purposes.

B. Issue 1: reversing the trend of amphetamine-type stimulant abuse becoming a part of mainstream consumer culture

12. There was substantial and compelling evidence that abuse of ATS had become a global issue that continued to grow at an alarming rate. The problem was emerging in both developed and developing countries. While there appeared to be a perception that the substances were safe, they had serious consequences for health and social, economic and cultural well-being. That underscored the need for a comprehensive and in-depth response. Many countries had no experience of dealing with such substances, and many of the solutions designed to reduce consumption would be different from those developed to deal with existing drug problems. Hence Governments needed to act urgently if they were to succeed in containing the spread and reducing the impact of ATS abuse. In that context, the Expert Meeting made recommendations covering various matters, outlined below, to reverse the trend of ATS abuse.

1. Prevention

13. Given cultural sensitivities and the diverse range of individuals and groups at risk from ATS abuse, there was a need to identify and document good practice in prevention, intervention and treatment, including appropriate evaluation methodologies. Maximum impact would be achieved through the adoption of multiple approaches to prevention. To ensure containment and to optimize the potential to overcome the problem, it was essential to achieve sustained political commitment and cooperation by Governments. Within their existing frameworks for collaboration, UNDCP and the World Health Organization (WHO) should identify, document and disseminate evidence-based practice for primary and secondary interventions for ATS.

14. There was uncertainty about the range of risks and adverse consequences that could be associated with ATS abuse, particularly of the methylenedioxymethamphetamine (MDMA) type of stimulants. Confusion and misunderstanding had thus arisen among those who were likely to influence ATS use, for example, the media, parents, teachers and community leaders. Governments should consider ways of introducing responsible information on ATS into educational and mass outreach programmes (see paragraphs 27 and 28 below). Such programmes should be based on a thorough situation and needs assessment.

2. Legislation

15. In parallel with demand reduction measures, there was a need for nationally appropriate legal sanctions and enforcement actions. Legal measures and penalties needed to be commensurate with the acute threat to public health as well as the individual health risks. In view of the serious nature of the ATS problem, current judicial practices and legal sanctions might need to be reconsidered (see paragraph 45 below). Governments should give urgent consideration to the introduction of a range of appropriate legal sanctions to be applied to the personal possession and abuse of ATS. Governments should also ensure the monitoring of the impact and effectiveness of such measures.

3. Research

16. There was a need to summarize and synthesize current information on the health effects of ATS and of the by-products created in the clandestine synthesis of ATS. WHO should continue its work in that area and disseminate the relevant findings of the meeting of international experts that met at Geneva in November 1996. Periodic reassessment of the understanding of such health effects would be desirable.

17. There was also a need to identify gaps in the knowledge and understanding of the health effects and of the social, cultural and economic driving forces of ATS use and abuse, as well as their impact on the individual and the community. Meaningful cross-national studies should be conducted in those areas, covering both licit and illicit ATS, and taking into account the following specific needs:

(a) Current licit uses of ATS were largely limited to the treatment of attention deficit disorder and obesity. International bodies, in particular WHO, should initiate studies to obtain a better understanding of those conditions and their treatment with ATS. Such studies should include an examination of the aetiology, the prevalence and incidence of the conditions, the diagnoses, the duration of treatment and the treatment modalities used in various countries. On the basis of the findings, WHO should formulate guidelines on the rational use of ATS (see paragraph 48 below);

(b) Governments should monitor the safety and efficacy of the long-term administration of medically prescribed ATS (see paragraph 48 below);

(c) UNDCP and WHO, within their existing collaboration arrangements, should coordinate studies on the increasing demand for clandestine ATS, including the social, cultural and economic driving forces of ATS abuse and the impact on individuals and the community.

4. Data collection and reporting

18. Regional and international collaboration in the collection, analysis and dissemination of information on ATS was needed, particularly in the following areas: standardized terminology; coordination of data collection; methodological developments; and the exchange and dissemination of information (see paragraph 50 below). Existing international and regional epidemiological information networks should have a role in that respect.

C. Issue 2: the dilemma of drug-related information: freedom versus restraint; irresponsible versus responsible information

19. In the past, information on clandestine ATS manufacture and other aspects of illegal trade in ATS was available in underground literature. In contrast, information currently being made available on the Internet had created a situation in which access to heretofore elusive information had become possible for everyone. While the benefits of such new information tools might on the whole outweigh the costs, the need to consider how to contain the most negative manifestations was self-evident. Although control of the exchange of information on ATS was a difficult and complex issue, appropriate steps at both the national and international level were possible, in close cooperation with all actors involved, and should be taken. At the same time, Internet also presented significant opportunities for policy and programme innovation, including the collection and dissemination of information in a timely and cost-effective manner. It could also be used effectively for training purposes with participants located in different countries. In addition to new media tools, the traditional media played a significant role in inadvertently promoting ATS abuse, making it necessary to develop appropriate strategies to counter such trends. Against that background, the Expert Meeting made the recommendations concerning information presented below.

1. Monitoring and control of new information networks such as the Internet

20. Governments should:

(a) Establish systems to monitor the Internet for information on the production, distribution, promotion and use of ATS and their precursors, so that potential violations of their national laws and regulations could be determined;

(b) Consider establishing open complaint mechanisms as part of the monitoring system.

21. Governments should negotiate with service providers and with the telecommunication and software industries, as appropriate, on the development and implementation of mutually agreed mechanisms for the removal of offensive drug information from the Internet.

22. The Secretary-General should initiate consultations with representatives of the telecommunication and software industries, as well as with service providers, to develop a code of conduct and self-control governing the treatment of such matters as offensive drug-related information, terrorism, child pornography and racism. The negotiations should be undertaken in time to formulate recommendations for consideration by the General Assembly at its special session on international drug control to be held in 1998.

2. Taking advantage of the Internet

23. UNDCP, in partnership with national and international organizations, should take the lead in monitoring developments in the production, distribution and use of ATS and their precursors (including the transmission of information on the Internet), in analysing trends, in identifying potential future problem areas and in conveying information to Member States on a regular basis.

24. UNDCP, WHO and other national and international organizations should:

(a) Participate in a worldwide clearing-house* system to disseminate accurate and timely information on substance abuse;

(b) Assist developing countries in acquiring the computer hardware, software and training needed to access the clearing-house information.

25. UNDCP, in partnership with WHO and other national, regional and international organizations, should enhance the functioning of the existing network of epidemiology groups through Internet linkages.

26. UNDCP, WHO, the International Criminal Police Organization (ICPO/Interpol), the World Customs Organization (WCO) and other international organizations should explore the possibility of using the Internet for distance training purposes, with particular emphasis on assistance to developing countries.

3. Other media-related activities

27. Governments should initiate public awareness campaigns on the adverse health, social and economic consequences of ATS abuse, in order to counteract misleading information and erroneous perceptions often conveyed by the media (see paragraph 14 above).

28. Government should take appropriate action to fully implement the provisions of the 1971 Convention, article 10 (prohibiting the advertisement of controlled substances to the general public), and of the 1988 Convention, article 3 (publicly inciting illicit activities related to drugs) (see paragraph 40 below).

D. Issue 3: reducing economic incentives and limiting the availability of precursors for clandestine manufacture

29. Improved precursor control as well as more vigilant efforts to prevent money-laundering were promising fields of intervention to reduce economic incentives for clandestine operations involving ATS. Reduced

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*National and regional documentation centres on substance abuse linked together through the Internet.

availability of precursor chemicals was likely to have a limiting effect on the spread of clandestine manufacture of ATS. In the light of the provisions of the 1988 Convention, article 12, the related Council resolutions (1992/29 of 30 July 1992, 1993/40 of 27 July 1993, 1995/20 and 1996/29) and the recommendations contained in the annual reports of the Board, the competent authorities at the international, regional and national levels should take appropriate action to counter the diversion of chemical substances for illicit manufacture of ATS. To reduce economic incentives and limit the availability of precursors, the Expert Meeting recommended the countermeasures outlined below.

1. Improving the information base concerning licit movements of precursor chemicals at the international level

30. To enable the Board to fulfil its central role in coordinating international efforts to combat chemical diversion, and to extend and update the existing pool of information on the control of the chemicals concerned, the competent authorities at the national level should pass on, at regular intervals, all relevant information to the Board, which should, in turn, make use of the information received.

2. Establishment of a surveillance list and an early warning system

31. The development of appropriate control strategies should be tailored to the needs of the individual country and region. To that end, in accordance with Council resolution 1996/29, the Board, with the assistance of UNDCP, should establish, for use at the regional and national level, an international special surveillance list of potential substitutes and pre-precursors for controlled starting materials. Governments should immediately alert the Board to new developments in clandestine manufacture, in particular to any new non-scheduled chemicals* seized in clandestine laboratories. That should enable the Board to update the list and provide an early warning system for Governments.

3. Improving the precursor control system

32. National authorities, in cooperation with UNDCP and the Board, should consider further research on such matters as: scheduling and rescheduling of ATS precursor chemicals (see paragraphs 41 and 42 below); and the possibility of punishing, as a criminal offence in the sense of article 3 of the 1988 Convention, the diversion of non-scheduled chemical substances knowingly used in the illicit manufacture of ATS (see paragraph 45 below).

4. Extending international cooperation to cover non-controlled chemicals

33. To support investigations where competent authorities had established that non-controlled chemicals were being used for illicit manufacture of ATS, the law enforcement agencies of the countries concerned should establish mechanisms to cooperate with each other to exchange information and take appropriate action (see paragraph 52 below). To that end, law enforcement agencies should designate one focal point to facilitate such exchanges.

5. Improved monitoring of licit movements of precursors of amphetamine-type stimulants

34. National authorities should take specific actions to improve the monitoring of the licit manufacture and trade, at both domestic and international levels, of ATS precursors (see paragraph 43 below). Such actions should include the following:

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*Such as allylbenzene, benzaldehyde, benzylchloride, benzylcyanide, and norephedrine (phenylpropanolamine), which are currently frequently used in the illicit manufacture of ATS.

(a) As a matter of priority, the promotion of close cooperation with the relevant branches of industry and trade, with a view to establishing, to the extent possible, voluntary measures and codes of conduct governing trade in ATS precursors, as well as strengthening, as appropriate, already existing regulatory systems;

(b) Improved monitoring of the manufacture and domestic distribution of key ATS precursors such as the ephedrines, in particular by a system of licensing and inspection;

(c) The introduction, where appropriate, of a national system for assessing the legitimate annual needs for key ATS precursors;

(d) The introduction of an import and export authorization system to ensure more effective prevention of diversions from international trade;

(e) The use of pre-export notifications for ATS precursors under the 1988 Convention.

6. Amendments to and clarifications of the 1988 Convention

35. Parties to the 1988 Convention should consider clarifications of and technical amendments to the Convention, where such were deemed of special relevance to the control of ATS precursors. The clarifications or amendments should deal with the following (see paragraphs 41-43 below):

(a) Preparations, mixtures, extracts, concentrates and plant raw materials that could be used in the clandestine manufacture of ATS;

(b) Coverage of isomers of substances listed in Tables I and II of the 1988 Convention;

(c) Specific chemical derivatives of ATS precursors (e.g. esters) which could be converted into controlled precursors.

7. Strengthening the exchange of information on precursors of amphetamine-type stimulants

36. In accordance with legal provisions, Governments and the international bodies concerned should make every effort to initiate regular exchanges of information between counterpart government agencies in different countries, in particular in exporting, importing and transit countries, about suspicious movements of precursors and the diversion methods used (see paragraphs 50-52 below). Appropriate law enforcement procedures and chemical techniques used to trace the origin of seized precursor material to determine whether it was diverted from licit sources or manufactured clandestinely should also be considered (see paragraph 44 below).

8. Monitoring of sales of laboratory equipment

37. Governments should make better use of the provisions of the 1988 Convention, article 13, to monitor sales of specific equipment, such as tableting machines, as appropriate to their national situation. States should share their experiences in such matters (see paragraph 52 below).

9. Strengthening efforts against money-laundering

38. Governments should trace, monitor and curtail assets derived from the clandestine manufacture of ATS (see paragraph 40 below). That would involve a general strengthening of anti-money-laundering legislation, which might include consideration by Governments of reversing the traditional burden of proof and placing it upon the violators.

E. Issue 4: closing the legislative and regulatory gaps

39. Effectively counteracting or preventing emergency situations in any country or region required policies and countermeasures that were fast, flexible, easy to adapt to new situations and both technically and conceptually commensurate with the ever-greater complexity of the evolving global drug problem. There might also be a need for enhanced interdisciplinary situation analysis and conceptualization, experimentation with entirely new concepts and approaches, better and more resolute implementation at every level and increased regional cooperation. In that context, the countermeasures recommended by the expert group to close legislative and regulatory gaps are presented below.

1. Evaluation of compliance with the international drug control treaties

40. In view of the serious problems associated with the manufacture, distribution and use of ATS, the Commission should consider establishing an ongoing mechanism, possibly through a peer-review process, to evaluate, in cooperation the Board, compliance with the 1971 and 1988 conventions and implementation of all relevant Council resolutions (see paragraphs 28, 34, 37 and 38 above).

2. Improving the technical basis of control

41. There was a need for a higher degree of simplicity, flexibility and complementarity among the three international drug control treaties in scheduling ATS and their precursor chemicals. The Commission should initiate a process designed to resolve the problem of divergent scheduling principles, criteria and procedures under the three treaties.

42. Member States affected by the clandestine manufacture and abuse of synthetic ATS or those anticipating such an emergency situation should consider adopting a more flexible and anticipatory approach to defining the scope of control of both ATS and their precursors (see paragraph 35 above). Adequate safeguards should be incorporated to avoid detrimental effects on legitimate research, drug development and industry. Governments might need to establish small interdisciplinary advisory groups to assess the technical aspects. The following procedure could be applied:

(a) Periodic review of new clandestinely produced ATS and their precursors and exchange of information with international bodies and neighbouring countries. Such information should cover new drugs, the extent of, or methods used in, clandestine drug manufacturing, use of precursors (mixtures, preparations, raw materials etc.) and new developments relating to public health, safety and environmental hazards. Each country might wish to establish individual watch-lists of ATS and their associated chemicals (see paragraphs 31 and 32 above);

(b) Development of a flexible scheduling approach (see paragraph 35 above). Governments might wish to make use of one of the following models in use in different countries:

(i) Emergency or simplified scheduling processes;

(ii) Scheduling based on structurally similar groups (analogues);

(iii) Control, for purposes of criminal prosecution, based on similarities in chemical structure and known or anticipated pharmacological effects;

(c) UNDCP should collect, analyse, explain and distribute to Member States the available legislative models.

43. Taking into account the crucial role of the Board in the implementation of the international drug control treaties, and given the technical complexity of the problem of ATS, the Board, possibly with the support of an advisory expert group, should consider the following issues:

(a) Periodic analysis of the evolution of illicit manufacture of ATS to allow the identification of current and potential uses of precursor chemicals (see paragraphs 30 and 31 above);

(b) Technical assessment of promising new initiatives at the national level and of their potential for international application.

44. Member States should encourage the development of specific technical tools, procedures and guidelines for the effective enforcement of the law in respect of clandestine ATS. Recognizing the value of drug signature analysis/profiling, Member States should consider establishing profiling programmes for specific ATS. They should also continue to support the UNDCP project. UNDCP should, in turn, provide technical support for profiling programmes (see paragraph 36 above).

3. Introducing appropriate sanctions and penalties

45. Member States should make better use of the specific provisions of the 1988 Convention in dealing with offences related to clandestine synthetic drugs and their associated precursors and equipment. Such efforts had been successfully undertaken by some Member States (see paragraph 15 above), on the basis of an approach involving such measures as the following:

(a) Making criminal sanctions relating to ATS closer to those applied to the major narcotic drugs;

(b) Making criminal sanctions relating to ATS precursors closer to those applied to the ATS end-products;

(c) Extending the scope of national law and control systems to include the provisions of the 1988 Convention with respect to the clandestine manufacture, extraction or distribution of chemical precursors, either for personal manufacturing or illegal distribution;

(d) Investigating the possibility of extending the provisions of the 1988 Convention, article 3, to non-scheduled chemical substances (see paragraph 32 above);

(e) Introducing into national legislation the use of civil fines or administrative penalties and injunctions, in addition to criminal sanctions, thereby strengthening the deterrent effect and reducing economic incentives. Such sanctions could be effectively applied to various offences less amenable to criminal sentencing, such as the manufacture, import, export and distribution of precursors knowingly or with deliberate disregard for illegal end-use or for environmental and health hazards arising from those activities.

46. Member States with emerging or prevalent ATS problems should bear in mind that the concept of threshold quantities "for personal possession" was against the spirit of the international drug control treaties. Cognizant of the fact that some Member States had introduced threshold quantities for personal possession, the Expert Meeting requested UNDCP to evaluate the impact of such initiatives on consumption of ATS (see paragraph 15).

4. Improving the legislative and regulatory basis for control of licit amphetamine-type stimulants

47. Experience had shown that the control measures for international trade in licit ATS, especially those included in Schedules III and IV of the 1971 Convention, were not effective enough to prevent large-scale

diversions. A number of Council resolutions (1981/7, 1985/15, 1987/30, 1991/44 and 1993/38) had been adopted to redress the situation. While reiterating the need to implement such resolutions, the Expert Meeting stressed that mandatory application of the measures proposed would substantially improve the situation. It suggested that Parties should take urgent action to initiate such a process through an amendment to the 1971 Convention.

48. Considering the recent rise in consumption figures in some countries for specific ATS used mainly in the treatment of conditions such as attention deficit disorder and obesity, national drug control and pharmaceutical regulation authorities, in cooperation with professional bodies of physicians and pharmacists, should, within the areas of their specific competence:

(a) Establish an accurate system of assessment of licit ATS requirements, on the basis of systematic and detailed information on the therapeutic and industrial uses of ATS;

(b) Develop guidelines for physicians aimed at improving prescribing practices for specific ATS (see paragraph 17 above);

(c) Consider introducing, in those countries where prescription formulas for compounded drugs containing ATS seemed to be one of the main sources of stimulants used as anorectics, and thus to lend themselves to potential abuse, measures to ensure responsible use of such medicaments (see paragraph 17 above);

(d) Systematically monitor trends in the prescribing and consumption of ATS (see paragraph 17 above);

(e) Implement fully the prescription requirements for ATS under the 1971 Convention.

49. In the light of actual or potential abuse and diversion of licit ATS, there was also a need to monitor, primarily through the use and strengthening of existing monitoring systems such as the WHO Programme for International Drug Monitoring, licit stimulant-type substances that were not subject to international control, but which had the potential to lead to abuse.

5. Improving the collection and exchange of data

50. Governments should collect more accurate data on the size of clandestine laboratories, production methods and precursors used, relying, to the largest extent possible, on information from forensic laboratories. That aim could best be achieved by establishing in each Member State a central point that would also collect data on the identity of seized drugs, their sources, purities and prices. The annual reports questionnaire and Form D (providing annual information on substances frequently used in the illicit manufacture of narcotic drugs and psychotropic substances) should be used and made more specific for such purposes (see paragraphs 18, 30 and 31 above).

51. The Expert Meeting reiterated the importance of continuing cooperation and linking efforts in the collection, analysis and dissemination of data (such as the joint project undertaken in that area by UNDCP, the Board, ICPO/Interpol and WCO) for use in the building of cost-effective networks for policy support (see paragraphs 18, 30 and 31 above).

6. Strengthening regional cooperation

52. Recognizing that the manufacture, trafficking and abuse of ATS, while increasingly a global problem, showed distinct regional characteristics, the Expert Meeting stressed the significance of continued regional cooperation as an effective strategy to cope with the problem. Such a strategy should aim at reducing the

dimensions and impact of the problem, and, at the same time, prevent its further spread to countries not yet affected by it. The Expert Meeting considered that the essential elements of such regional cooperation were as follows:

(a) Consultations between States at the regional level before the adoption of amendments to national laws relating to the control of ATS, in order to avoid disparities in the legislation of neighbouring countries (see paragraphs 15, 34, 45 and 46 above);

(b) Regional arrangements for monitoring new developments in clandestine manufacture and trafficking of ATS (see paragraph 31 above), new trends in the licit use of ATS and new consumption patterns trends (see paragraph 18 above);

(c) Establishment of rapid channels of communication and systems for the exchange of information derived from criminal investigations, intelligence assessments and forensic analysis (for example, drug signature analysis/profiling), in order to support interdiction efforts, in addition to already existing modes of communication (see paragraphs 33 and 36 above);

(d) Use of existing regional organizations, consultations, meetings and other working arrangements in drug control as a tool or forum for the regional exchange of experience, new research results and findings relating to various aspects of the problem of ATS;

(e) Implementation of specific regional projects to develop technical capabilities in States with limited expertise in dealing with the problem of ATS. States with more expertise and experience were requested to assist those with less.

II. ORGANIZATION OF THE EXPERT MEETING

A. Opening of the Expert Meeting

53. The second Expert Meeting on Amphetamine-type Stimulants was held at Shanghai from 25 to 29 November 1996. It was hosted by the Government of China and organized by UNDCP in cooperation with the National Narcotics Control Commission of China and the Shanghai Narcotics Control Commission. UNDCP served as secretariat of the Expert Meeting.

54. At the first meeting, on 25 November 1996, opening statements were made by the Executive Director of UNDCP and by the Vice-Minister in charge of the National Narcotics Control Commission and Vice-Minister of Public Security of China.

B. Attendance

55. The Expert Meeting was attended by participants from the following 29 countries and territories: Australia, Canada, Chile, China, Czech Republic, Egypt, France, Germany, Hong Kong, Hungary, India, Indonesia, Italy, Japan, Latvia, Malaysia, Mexico, Netherlands, Nigeria, Philippines, Poland, Republic of Korea, Singapore, Spain, Sweden, Switzerland, Thailand, United Kingdom of Great Britain and Northern Ireland and the United States of America. The participants included observers sent by specialized agencies and other intergovernmental organizations (see annex I).

C. Election of officers

56. At its second meeting, on 25 November 1996, the Expert Meeting elected by acclamation Zhu Entao, Assistant Minister of the Ministry of Public Security of China, as Chairman, and Jacques LeCavalier, Chief Executive of the Canadian Centre on Substance Abuse, as Vice-Chairman and Rapporteur.

D. Adoption of the agenda

57. The Expert Meeting adopted the following agenda:

1. Election of officers and adoption of agenda.

2. Examination of background topics:

   (a) A century of international drug control;
   (b) Drug consumption cultures;
   (c) Amphetamine-type stimulants as a global problem;
   (d) Clandestine synthetic drugs: dilemmas for control;
   (e) Amphetamine-type stimulants as a national problem: national experience, policies, strategies;
   (f) Striking the right balance between national, regional and global responses;
   (g) Principal issues, problems and countermeasures.

3. Discussion of issues by working groups:

   (a) Working Group 1: reversing the trend of amphetamine-type stimulant abuse becoming a part of mainstream consumer culture;
   (b) Working Group 2: the dilemma of drug-related information: freedom versus restraint; irresponsible versus responsible information;
   (c) Working Group 3: reducing economic incentives and limiting the availability of precursors for clandestine manufacture;
   (d) Working Group 4: closing the legislative and regulatory gaps.

4. Issues of regional and international cooperation.

5. Adoption of the draft report, including recommendations for countermeasures.

E. Documentation

58. The documents before the Expert Meeting are listed in annex II to the present report.

III. SUMMARY OF THE DISCUSSION

59. Before the working groups began their deliberations at the fifth and sixth meetings, on 27 November 1996, the second to fourth meetings were devoted to a review in plenary of agenda item 2, concerning topics that formed a necessary background to the discussion of issues in the working groups. The discussion of the seven topics under item 2 is summarized below.

A. Examination of background topics

1. A century of international drug control

60. At its second meeting, on 25 November 1996, an expert reviewed the history of the development of international drug control from the establishment of the Shanghai Opium Commission in 1909, which had resulted in the first international control of opiates and cocaine, to the Expert Meeting in progress, which was exploring possible countermeasures to the current situation with respect to the abuse of, and trafficking in, ATS. He referred to the multiplicity of factors, including cultural attitudes, geopolitical issues and economic interests, that had influenced international action in the area of drug control. He explained how the original impetus by China, the United Kingdom of Great Britain and Northern Ireland and the United States of America at the turn of the century had opened a "window of opportunity" that had led to a broader international effort and the first multilateral meeting on drug control in 1909. The subsequent evolution of international control leading to the treaty system currently in force was examined in detail. Attention was drawn to missed opportunities for international cooperation in the past, often due to purely political considerations. In that context, he referred to the opening of a new window of opportunity that should be used to work out an effective agreement on ATS, which, as part of the synthetic drug problem, would surely dominate the first part of the twenty-first century.

61. Another expert, reviewing the situation in China, emphasized the determination with which successive Governments of China had fought both opium abuse and the traffic in opium from foreign sources. Following the colonialist excesses of the nineteenth century, the prohibition of opium for a 10-year period, decreed by the Qing Government in 1906, was an important step towards rectifying the situation. The expert outlined the negative impact of stimulant abuse on public health and the strict measures taken to contain that menace, including legislative action to control precursors. He underlined the unswerving dedication of China to the fight against all manifestations of drug abuse and its readiness to cooperate with like-minded States.

2. Drug consumption cultures

62. An expert examined the evolution of consumption patterns from the "traditional" misuse of narcotic drugs to the most recent examples of consumption "fashions" in modern social environments. She emphasized specific trends and factors underlying the growing abuse of ATS among the younger generation, including: increased needs and wants for ever-higher levels of stimulation in societies that stressed competitiveness, in which highly stimulating activities of all sorts (video games, high-risk sports etc.) could be seen; increased incidence of instant hedonistic behaviour; a growing trend towards self-medication; reduced family ties; a decline in traditional belief systems; dominant influence of peers, with views that clearly differed from official or traditional ones; growing levels of unemployment among youth, which further alienated ever larger sections of the young generation from accepting the norms set by parents and authorities; and sensational reporting by the media, contributing to the "thrill" of deviant behaviour. Prevention strategies would have to take due account of those underlying trends and factors, if they were to be successful.

3. Amphetamine-type stimulants as a global problem

63. At the same meeting, an expert summarized the policy measures adopted in Japan to counter the ATS problem. In view of its international dimensions, concerted efforts were necessary, with particular emphasis on increasing awareness, gathering and exchanging information and research into treatment measures. The establishment of frameworks for regional cooperation as well as the extension of precursor control to internal and import controls were highly desirable. He concluded that the problem of ATS had clearly demonstrated that the traditional approach to drug control, dividing countries into producers, consumers and intermediaries, was no longer valid.

64. The Senior Research Coordinator, Research Section, Technical Services Branch of UNDCP, summarized the findings of the first Expert Meeting on Amphetamine-type Stimulants that had led to the revised version of the global review, which was before the current Expert Meeting as a background document. He underlined the historical interplay between the licit and illicit spheres of the ATS problem, as well as the equal contributions of demand and supply to the global expansion of ATS abuse from a few countries prior to the 1970s to the global dimensions witnessed during the 1990s. While control systems, both national and international, had proved successful in tackling the problem on the licit side (except for a few areas of concern, such as the treatment of attention deficit disorder and obesity, which needed an adequate response), the systems had revealed considerable weakness in preventing clandestine manufacture and illicit consumption of ATS. Current approaches to control, largely based upon models initially designed for plant-based drugs, were not appropriate for addressing the problem of ATS and other clandestine synthetic drugs.

65. Before the close of the second meeting, two experts examined the problems for national and international control presented by clandestine synthetic drugs. One of the experts analysed the technical dilemmas associated with proposals for such control. He stressed the need for thorough technical assessments of all aspects of a drug problem before it becomes global, and pointed to the attractiveness of ATS over plant-based drugs, such as cocaine and heroin. Factors contributing to that attractiveness included their feasibility for chemical manipulation, the easy availability of starting materials and their easy conversion into the corresponding end-products, the wide availability of technical information, strong economic incentives for clandestine operators, the fact that levels of control applied to precursors were not as strict as those applied to end-products as well as their benign image in consumer markets. He concluded that the technically complex ATS problem, with its potential for future expansion into developing countries, needed a global response and strong international commitment.

66. The other expert, in identifying a judicious mix of countermeasures to stimulant abuse, referred particularly to the following: (a) the easy availability of ATS and their precursors; (b) the rapid technological advances made by clandestine ATS operators in recent years; and (c) the information explosion, particularly on the Internet, which was also making underground information available to the general public. Policy options to be considered for item (a) were: anticipatory or emergency scheduling for both precursors and end-products; a targeted approach for certain precursors, such as ephedrine; close monitoring of licit movement of precursors; cooperative agreements with producers and distributors of precursor chemicals; and the institution of civil penalties in cases where criminal sanctions were not feasible. In order to tackle items (b) and (c), there might be a need for strategic international alliances with the telecommunications and software industries to promote self-regulation with respect to offensive drug material. Prevention should be focused on the vulnerable, particularly youth. Governments should integrate treatment, rehabilitation and outreach interventions within broader health, social, justice and fiscal policies. For all drug-control measures to be taken, the expert stressed the overriding importance of a sound knowledge base to enable evidence-based decision-making.

4. Amphetamine-type stimulants as a national problem: national experience, policies, strategies

67. At the third meeting, on 26 November 1996, one expert spoke on the experience of Japan from the perspective of the health and regulatory authorities, and another from the law-enforcement perspective. The former emphasized the importance of demand- and supply-reduction activities. Early and effective control of ATS precursors, as was done in Japan, was recommended for other countries as well. The latter discussed the significance of ATS abuse in Japan. He noted that greater public awareness of the dangers of ATS was preventing an increase in violations. He also drew attention to successful enforcement cases resulting from regional cooperation.

68. At the same meeting, an expert reviewed the experience of Germany with respect to precursor control. For about 10 years a monitoring system had been in place, based on close cooperation between enforcement

authorities and the chemical industry, and enabling the early exchange of information on suspicious diversion attempts. Even after the new Precursor Control Law (1995) came into effect, the system of voluntary self-restraint in cooperation with police and customs authorities had proved effective, and could serve as a model for other countries to consider. The voluntary monitoring system currently covered 52 precursor chemicals that were identified as having been used in clandestine laboratories. While providing industry with a check-list to assist in the identification of potentially suspicious orders, the system had the advantage of flexibility, and did not put additional administrative burdens on industry. Even in cases where precursor chemicals were not covered under national law, the system had proven successful in actually preventing diversion of substitute chemicals before clandestine manufacture could take place. Of increasing concern, however, was the spread of underground literature, including on the Internet, on the various possibilities for clandestine synthesis of ATS.

69. Another expert stressed the need for research on motivation and health risks related to ATS abuse - studies in those fields were currently being undertaken in Germany - and the importance of control systems to react rapidly to changes in the environment. In order to speed up the process, Germany had introduced into the Narcotics Act an emergency clause that covered both narcotic drugs and psychotropic substances. Given the spread of new designer drugs, however, a proactive approach was proposed. The German legislature intended to follow the example of some other countries and switch to a generic ("formula-type") scheduling approach. Such an approach should also be considered at the international level.

70. An expert emphasized the need for taking a balanced approach, tackling both the supply and the demand side, as was currently done in Australia. Such an approach should be reflected in close cooperation between: law enforcement and the health sector; the public and the private sector; law enforcement agencies and the chemical industry; and the authorities and drug users, to achieve a change in their attitudes. Improving knowledge of the rapidly changing drug-abuse situation and generating accurate information on the consequences of different intervention options were crucial for success. Prevention strategies should be accompanied by research and regular evaluation, and based on factual information about the dangers and risks associated with abuse of ATS and other drugs.

71. An expert described the policy of the Netherlands in dealing with the "ecstasy" problem, emphasizing the need for a balanced integrated approach and the need to base policy decisions on research findings. The approach was to promote a healthy drug-free lifestyle, which should lead to a decline in consumption. The reality, however, was that quite a number of young people took ecstasy on a recreational basis. By means of secondary prevention, the objective was to reduce the risks of ecstasy abuse. Incidents related to ecstasy abuse were rapidly decreasing, following a number of additional measures taken to minimize health risks at "rave" events. A special government policy paper entitled "XTC" had been drafted in 1994, and a national XTC working group had been set up. Supply control measures were in place, but the emphasis was on prevention. A mass media campaign, directed *inter alia* to parents and teachers, to inform the target group about the health risks, was to start in spring 1997, on the basis of the results of the research programme. Special emphasis had been placed on research, and studies on the pharmacological and toxicological effects of ecstasy and on the extent of ecstasy abuse were currently being prepared, including a socio-epidemiological study.

72. An observer reported on the demand for ATS and demand-reduction strategies in the States of the European Community. Although better information regarding the nature and extent of ATS use and its associated consequences was much needed, amphetamine and ecstasy had clearly become popular among young people, mostly in the context of a youth culture in which discotheques and large house parties played a prominent role. Responses to ATS use concentrated on primary and secondary prevention, with significant participation of the different groups involved in the youth scene. Most States of the European Community based their primary prevention strategies on the promotion of a healthy lifestyle. More carefully planned and evaluated interventions had been initiated and needed further promotion. Some States of the European Community had established mechanisms to analyse the problem and develop specific strategies. Moreover,

the European Monitoring Centre for Drugs and Drug Addiction had set up two projects, on epidemiology and on demand reduction, to prepare the ground for future activities in those areas.

73. Another observer informed the Expert Meeting of the outcome of a recent WHO expert meeting on ATS that complemented UNDCP work in the field with a state-of-the-art review of public health matters related to ATS abuse. Detailed recommendations had been made on issues relating to, *inter alia*, epidemiology, prevention, risk reduction, treatment and research priorities, on the basis of experience acquired in a number of countries. A report on the WHO meeting, including detailed recommendations, would be available soon. Though providing a number of indicative research results on such matters as the neurotoxic effects of most ATS, including MDMA (ecstasy), in animal studies, the WHO meeting had also shown that gaps in the understanding of the ATS problem remained, including the precise epidemiological patterns of ATS abuse in several countries, the health effects, the precise nature of the social consequences, as well as the optimal prevention and treatment approaches in different cultural settings. All of this called for further research and an evaluation of existing practices to provide policy makers with a sound scientific basis for decision-making.

74. An expert described the national response to the phenomenon of designer drugs in the United States. What had proved effective was a case-by-case determination, in each criminal proceeding, of whether a substance was similar in chemical structure or effect to any controlled substance, and whether it was intended for human consumption. Criminal sanctions applicable in cases involving substances in Schedule I of the 1971 Convention could be applied in such situations. Such an approach avoided the problems encountered in defining structural limits of a class of substances in order to protect research and drug development, as well as those associated with a predetermined, and thus limited, list of analogues. Emergency scheduling was subsequently required to control a substance after it had been identified in the illicit markets on several occasions.

75. Another expert briefly described the drug situation in China, particularly illicit trafficking in and clandestine manufacture of ATS, which had been investigated since 1991. He emphasized the national measures adopted for the control of precursors, in particular ephedrine. He proposed, in conclusion, a set of countermeasures to address, in particular, the need for appropriate national frameworks, regional and international cooperation, as well as sanctions for precursor-related offences.

5. Striking the right balance between national, regional and global responses

76. An expert examined the procedures for changing the scope of control of the three international drug control treaties. He briefly reviewed the evolution of the similarity principle, as a basic scheduling criterion, from the early opium treaties to the 1988 Convention, before discussing options to prevent a further spread of ATS abuse. Apart from the rescheduling of, for instance, ephedrine and pseudoephedrine from the 1988 Convention to Schedule III of the 1971 Convention, he suggested that the introduction of specific amendments to the 1971 Convention would make it more appropriate for dealing with clandestinely manufactured drugs. Such amendments could include an assessment of licit requirements for substances in Schedules III and IV, a simplification of the scheduling process and the introduction of a convertibility rule into the 1971 Convention similar to that of the 1961 Convention.

6. Principal issues, problems and countermeasures

77. A Drug Control Officer of the secretariat of the Board addressed the fourth meeting on 26 November 1996. She referred to recent trends in the consumption of licit ATS, particularly methylphenidate, which was used in the treatment of children with attention deficit disorder, and of various stimulants in Schedule IV used as narcotics. While in both cases the steady increase in consumption was an issue of concern, there also appeared to be a close relationship between increased licit availability and actual abuse of the substances. She concluded that the existence of large user and abuser populations made the

substances increasingly attractive for drug traffickers, and that it might be advisable to reverse the trend at as early a stage as possible.

B. Discussion of issues by working groups

78. At the fourth meeting, on 26 November 1996, the Senior Research Coordinator introduced a discussion paper entitled "Policy options for countermeasures", prepared by the Research Section of UNDCP. The paper covered eight general issues that could form the basis of the deliberations of the working groups that were to be convened on 27 November 1996. The issues were as follows:

(a) Increasing the effectiveness of the international control system for dealing with clandestine synthetic drugs;

(b) Improving reporting, understanding and forecasting of the ATS problem;

(c) Counteracting the negative consequences of widely available information on clandestine synthetic drugs;

(d) Limiting the wide availability of precursors for the clandestine synthesis of ATS;

(e) Reducing the economic incentives driving clandestine manufacture and trafficking of ATS;

(f) Reversing the current trend of expanding, globalized consumption of ATS;

(g) Instituting more effective controls on the availability of licit ATS;

(h) Harmonizing national and regional responses to the problem of clandestine synthetic drugs.

79. Following a discussion of the topics raised, the Expert Meeting decided to allocate issue (f) to Working Group 1 (reversing the trend of ATS abuse becoming a part of mainstream consumer culture); issue (c) and parts of issues (b) and (g) to Working Group 2 (dilemma of drug-related information: freedom versus restraint; irresponsible versus responsible information); issues (d) and (e) to Working Group 3 (reducing economic incentives and limiting the availability of precursors for clandestine manufacture); and issues (a) and (h) as well as parts of issues (b) and (g) to Working Group 4 (closing the legislative and regulatory gaps).

C. Regional and international cooperation

1. Harmonizing national and regional responses to the clandestine synthetic drug problem

80. The Senior Research Coordinator emphasized, as documented in *Amphetamine-type Stimulants: a Global Review*, that ATS abuse had become a global problem, though with specific regional peculiarities, such as methamphetamine abuse in Asia and amphetamine and ecstasy abuse in Europe. Even though there had been evidence of growing interregional trafficking in ecstasy, the bulk of trafficking in ATS end-products was at the regional level.

81. An observer emphasized that the regional dimension of the ATS problem required regional responses. In the case of precursor chemicals, there was a need for harmonization at the regional level, as was already done by the States of the European Community, as well as increased interregional cooperation. To that end, the Expert Meeting was informed that the European Community and the United States of America were planning to hold a multilateral conference in the near future. In addition to a need for harmonization at the

regional level, emerging control systems had to be extremely flexible to respond to rapid changes in clandestine manufacture of ATS.

82. An expert also emphasized the need for harmonization at the regional level in a number of areas, including legislation designed to close loopholes in the control system. There should be also increased regional cooperation in such areas as the monitoring of trends, the preparation of watch-lists of precursor chemicals and ATS end-products, signature analysis, cross-national research and specific operational activities.

83. An observer referred to the need for increased regional cooperation in prevention, treatment, applying research methodologies and achieving comparability of epidemiological data. He further emphasized the work already initiated by regional groups, such as the Pompidou Group of the Council of Europe and the epidemiological network groups that cooperated closely with UNDCP and WHO.

Notes

[1]*Amphetamine-type Stimulants: a Global Review*, UNDCP Technical Series No. 3 (Vienna, 1996).

[2]United Nations, *Treaty Series*, vol. 1019, No. 14956.

[3]*Official Records of the United Nations Conference for the Adoption of a Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, Vienna, 25 November-20 December 1988*, vol. I (United Nations publication, Sales No. E.94.XI.5).

Annex I

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Specialized agencies

World Health Organization

Other intergovernmental organizations

European Community, European Monitoring Centre for Drugs and Drug Addiction, International Criminal Police Organization

Annex II

LIST OF DOCUMENTS

*Document number**	*Title or description*
E/CN.7/1997/CRP.5	Policy options for countermeasures
E/CN.7/1997/CRP.6	Summary of views of Governments on countermeasures against illicit trafficking, manufacture and abuse of amphetamine-type stimulants and their precursors
E/CN.7/1997/CRP.7	Recent trends in the use of stimulants as anorectics
E/CN.7/1997/CRP.8	Control of use of methylphenidate in the treatment of attention deficit disorder

Background documents

Amphetamine-type Stimulants: a Global Review, UNDCP Technical Series No. 3 (Vienna, 1996)

*Number under which the document was submitted to the Commission on Narcotic Drugs.